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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/072,376	02/06/2002	Chris J. Wendel	077077-9140-00	2563
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MICHAEL BEST & FRIEDRICH, LLP 100 E WISCONSIN AVENUE MILWAUKEE, WI 53202				
			EXAMINER SAFAIPOUR, HOUSHANG	
			ART UNIT 2622	PAPER NUMBER

DATE MAILED: 06/22/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/072,376

Applicant(s)

WENDEL, CHRIS J.

Examiner

Houshang Safaipoor

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5 and 12-23 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-5 and 12-23 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 06 February 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Applicant's amendment filed on February 7, 2005 have been fully considered but are moot in view of the new cited reference

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-5 and 12-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Seymour et al. (U.S. Patent No. 5,724,259) and further in view of Nagashima (U.S. Patent No. 5,646,716).

Regarding claim 1, Seymour et al. discloses a camera assembly for use in scanning a paper substrate of a printing press, said assembly comprising:

a housing (fig. 2);

camera mounted within said housing (fig. 2, col. 4, lines 14-19);

a light source mounted within said housing (Fig. 2, light source 38); and

Although Seymour et al. discloses the use of two different light sources, he also discloses that illumination could be provided by a single light source (col. 7, lines, 1-3), however, he is silent on the number of reflectors when only one light source is used. Nagashima discloses an image recording apparatus with two mirrors (18a and 18b) positioned symmetrically with respect to a plane that is perpendicular to the paper substrate to direct light in two distinct paths from the same said light source (16) to the paper substrate (fig.

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1, col. 6, lines 55 through col. 7, line 7). Therefore it would have been obvious to a person of an ordinary skill in the art at the time the invention was made to use the illumination system of Nagashima in printing system of Seymour to produce sufficient quantity of light intensity for efficient utilization (col. 4, lines 5-12).

Regarding claim 2, Seymour et al. discloses the camera assembly of claim 1 wherein said camera is a CCD type Camera (col. 5, lines 25-39). Nagashima's apparatus includes a lens (12) and shows that the plane perpendicular to the paper substrate passes through the lens and the light source (fig. 1). Therefore it would have been obvious to a person of an ordinary skill in the art at the time the invention was made to use the illumination system of Nagashima in printing system of Seymour to produce sufficient quantity of light intensity for efficient utilization (col. 4, lines 5-12).

Regarding claim 3, Seymour et al. discloses the camera assembly of claim 1 wherein said light source is a strobe type light source (col. 6, lines 21-27). Nagashima's apparatus shows that an axis of the light source is parallel to an axis of the lens (fig. 1). Therefore it would have been obvious to a person of an ordinary skill in the art at the time the invention was made to use the illumination system of Nagashima in printing system of Seymour to produce sufficient quantity of light intensity for efficient utilization (col. 4, lines 5-12).

Regarding claim 4, neither Seymour no Nagashima introduce flat reflectors (mirrors). However applicant has not disclosed that flat mirrors would provide an advantage, is used for a particular purpose or solves a stated problem. On the contrary, applicant, starting at bottom page 10 of the specification through line 5 of page 12, suggests that the "mirrors could have other configurations other than flat such as, for

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example, concave mirrors". One of ordinary skill in the art, furthermore, would have expected Applicant's invention to perform equally well with concave reflectors taught by Nagashima.

Regarding claim 5, Seymour et al. discloses the camera assembly of claim 1 where the mirrors are positioned on each side of the light source (fig. 3a). Also fig. 1 of Nagashima.

Regarding claim 12, arguments analogous to those presented for claims 1 and 3 are applicable to claim 12.

Regarding claim 13, arguments analogous to those presented for claim 1 are applicable to claim 13.

Regarding claim 14, arguments analogous to those presented for claim 3 are applicable to claim 14.

Regarding claim 15, arguments analogous to those presented for claim 4 are applicable to claim 15.

Regarding claim 16, Seymour et al. discloses the method of claim 13 wherein each light path has an illumination intensity that is substantially the same (fig. 3a).

Regarding claims 17, 19 and 23 arguments analogous to those presented for claim 1 are applicable to claims 17, 19 and 23.

Regarding claim 18, arguments analogous to those presented for claim 3 are applicable to claim 18.

Regarding claim 21, Seymour et al. does not disclose Xenon strobe bulb. However, Nagashima discloses this type of bulb (col. 6, lines 55-62).

Regarding claims 20 and 22, arguments analogous to those presented for claim 4

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are applicable to claims 20 and 22.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Contact Information


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Houshang Safaipoor whose telephone number is (571)272-7412. The examiner can normally be reached on Mon.-Thurs. from 6:30am to 5:00pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward L. Coles, Sr. can be reached on (571)272-7402. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Houshang Safaipoor
Patent Examiner
Art Unit 2622
June 15, 2005


EDWARD COLES
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600